

IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

MICHAEL DAVID SCOTT,	:	Bankruptcy No. 17-70045-JAD
	:	
	:	Doc. No. 105
	:	
Debtor.	:	Chapter 7
	X	

CERTIFICATE OF SERVICE OF:

Doc. No. 105: Debtor's Motion To Compel Federal Bureau of Prisons Loretto PA To Allow The Petitioner To Call Credit Counseling Agency For Issuance Of Certificate Per 1007(c); and Doc. No. 110: Scheduling Order for Hearing to be held May 9, 2017, at 10:00 AM, Courtroom D, 54th Floor U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219

Specify Document(s) Served)

I certify under penalty of perjury that I served the above captioned pleading(s) on the parties at the address specified below or on the attached list on **April 25, 2017.**
(Date)

**Warden
Loretto Federal Prison Camp
772 Saint Joseph Street
P.O. Box 1000
Loretto, PA 15940**

**The Attorney General of the United States
Civil Division, Bankruptcy Section
U.S. Department of Justice
Washington, D.C. 20530**

**Counselor Ken Hite
Loretto Federal Prison Camp
772 Saint Joseph Street
P.O. Box 1000
Loretto, PA 15940**

**Soo C. Song
Acting United States Attorney
633 Joseph F. Weis, Jr. United States Courthouse
Pittsburgh, PA 15219-1955**

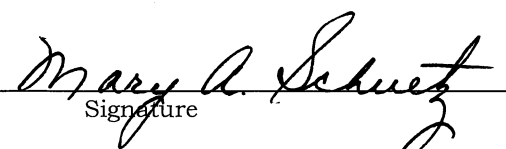
The type(s) of service made on the parties (first class mail, electronic notification, hand delivery, or another type of service) was: **First Class Mail, United States Postal Service.**

If more than one method of service was employed, this certificate of service groups the parties by the type of service. For example: the names and addresses of parties served by electronic notice will be listed under the heading "Service By Electronic Notification" and those served by mail will be listed under the heading "Service by First Class Mail."

EXECUTED ON: April 25, 2017

**FILED
4/25/17 9:57 am
CLERK
U.S. BANKRUPTCY
COURT - WDP**

By:


Signature

Mary A. Schuetz, Courtroom Deputy For
The Honorable Jeffery A. Deller, Chief Judge
United States Bankruptcy Court
Western District Of Pennsylvania
54th Floor U.S. Steel Tower, 600 Grant Street
Pittsburgh, Pennsylvania 15219

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RECEIVED

In Re: Michael David Scott

2017 APR 19 A 11:12

CLERK Case # 17-70045-JAD
U.S. BANKRUPTCY COURT
PITTSBURGH

Motion To Compel Federal Bureau of Prisons Loretto PA
To Allow The Petitioner To Call Credit Counseling Agency
For Issuance of Certificate per 1007(c)

Federal Rule of Bankruptcy Procedure 1007(c) requires an individual debtor(s) to file a statement regarding completion of a course in personal financial management within 60 days after the first date set for the meeting of creditors under §341 of the Bankruptcy Code in a Chapter 7 case. Whereas, 11 U.S.C. §727(a)(1) states that the Court shall not grant a discharge unless the Debtor(s) complete an instructional course concerning personal financial management after filing the petition.

The first meeting of the creditors was scheduled for March 15, 2017, at 11:00 AM. The Debtor must take the personal financial management course by May 15, 2017.

Mr. Scott is incarcerated at the Federal Prison Camp at 772 Saint Joseph St. Loretto PA 15940. On April 14, 2017, Mr. Scott

approached the camp's case manager about scheduling a call for him to take the personal financial management course, the camp's Case Manager denied the Debtor "Mr. Scott's request to make the call, which essentially denies the Debtor access to the court. The Debtor has no other options. The number which the Debtor must call 866-507-3232, is not accessible/allowed from the prison phone system and the call requires 2 hours, whereas the prison phone only allows calls in 15 minute intervals, with 45 minutes between each call. Regardless, the Debtor has no other options available to him to make the call to complete the Personal Financial Management Course.

Then so, the Debtor encloses the following proposed order requiring that the prison accommodate Mr. Scott to make the 2 hour call or the time it takes to complete the course by telephone.

Respectfully Submitted;



Michael D. Scott

772 Saint Joseph St.

Loretto PA 15940

April 16, 2017

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re: Michael David Scott

Case # 17-70045-JAD
Related To Doc. No. 105

Order of Court

The Court, having found that Federal Bankruptcy Procedure 1007(c) requires an individual Debtor to file a statement regarding completion of a personal financial management course within 60 days after the first date set for the meeting of the creditors. And having found that such date is due by May 15, 2017, and Mr. Scott has no alternative means of completing the course.

Hereby, order the counselor/ or other responsible party at the Bureau of Prisons, Federal Prison Camp, 772 Saint Joseph St. Loretto PA 15940 to accommodate Mr. Scott (the debtor) inmate ID 93357-038, with access to a telephone allowing him sufficient time to complete the course, no later than May 5th, 2017.

Entered on this _____ day of _____, 2017.

Jeffrey A Deller

U.S. Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:

MICHAEL DAVID SCOTT,

Debtor.

: Bankruptcy No. 17-70045-JAD
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X

**ORDER SETTING DATE CERTAIN
FOR RESPONSE AND HEARING ON MOTION**

AND NOW, this 24th day of April, 2017, a Motion To Compel Federal Bureau of Prisons Loretto PA To Allow The Petitioner To Call Credit Counseling Agency For Issuance Of Certificate Per 1007(c) having been filed by Debtor in the above-captioned proceeding,

IT IS HEREBY ORDERED THAT:

1. The Moving Party shall serve ***IMMEDIATELY***, pursuant to Bankruptcy Rule 7004, a copy of **THIS ORDER AND THE MOTION ON THE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF PENNSYLVANIA; THE UNITED STATES ATTORNEY GENERAL, THE WARDEN OF FCI LORETTO, THE CHAPTER 7 TRUSTEE, AND THE OFFICE OF THE UNITED STATES TRUSTEE FOR THE WESTERN DISTRICT OF PENNSYLVANIA.** The Moving Party shall then file a Certificate of Service. **Failure to properly serve the Motion or file the Certificate may result in dismissal of the above-captioned proceeding.**
2. **Any Response**, including a Consent to the Motion, **shall be filed with the Clerk's Office**, 5414 U.S. Steel Tower, 600 Grant Street, Pittsburgh, Pennsylvania 15219 no later than **May 8, 2017 by 12:00 Noon**. Any response should be served on the Moving Party.
3. Said Motion is scheduled for expedited hearing on **Tuesday, May 9, 2017**, at **10:00 AM** in **Courtroom D, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, Pennsylvania 15219**, at which time the parties and/or their counsel shall appear and the Court will dispose of the Motion; **PROVIDED HOWEVER, THAT THE DEBTOR MAY APPEAR BY TELEPHONE BY PLACING A CALL TO THE COURT AT 412-644-4710 NOT LATER THAN 9:55 AM ON Tuesday, May 9, 2017.**
4. If service was properly made and Respondent(s) fail to file a Response by the above-specified date, the Court **may** determine after review of the Motion that no hearing is required and accordingly enter the Order by default.

TO DETERMINE IF A DEFAULT ORDER HAS BEEN SIGNED, THE PARTIES ARE DIRECTED TO THE WEB SITE OF THE U.S. BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA AT www.pawb.uscourts.gov ONE DAY PRIOR TO THE SCHEDULED HEARING DATE. REFER TO THE CALENDAR SECTION TO VIEW THE CALENDAR FOR JUDGE DELLER.

In the event a default order has been signed, the **Moving Party** shall thereafter advise all affected parties. If a default order has not been signed, the parties will be **required** to appear in Court at the hearing on the above date and time.

5. If service was properly made and Respondent(s) fail to file a Response by the above-specified date, the . Only a limited time is being provided on the calendar. If any party in interest anticipates that the hearing involves a substantial dispute and will require more time, they shall so advise the Court **immediately** in writing and request appropriate time on another date.

FILED
4/24/17 4:17 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

cm: Michael David Scott


JEFFERY A. DELLER
Chief U.S. Bankruptcy Judge

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